

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MELVIN JAMIL ADAMS,

Plaintiff,

-against-

ADRIAN SANTI, Transit district 12 Police
Officer # 947460; GARY MORATTI, Shield
919435; SERGEANT ROBERT HOGG, Shield
8976; and JOHN DOE # 1023,

Defendants.

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NOT FOR PUBLICATION
ORDER
13-CV-6382 (CBA) (LB)

AMON, Chief United States District Judge:

Plaintiff Melvin Jamil Adams, proceeding pro se, filed this action pursuant to 42 U.S.C. § 1983 on November 6, 2013. (D.E. # 1.) Now before the Court is the Report and Recommendation (“R&R”) of the Honorable Lois Bloom, United States Magistrate Judge, dated May 15, 2015. (D.E. # 38.) The R&R recommends dismissal of this action with prejudice for failure to prosecute and failure to comply with Court orders pursuant to Federal Rules of Civil Procedure 16(f)(1)(A), 37(b)(2)(A)(v), and 41(b). No party has objected to the R&R and the time for doing so has passed.

When deciding whether to adopt an R&R, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). To accept those portions of the R&R to which no timely objection has been made, “a district court need only satisfy itself that there is no clear error on the face of the record.” Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (internal quotation marks omitted). The Court has reviewed the R&R and, finding no clear error, adopts Magistrate Judge Bloom’s recommendation to dismiss this action with prejudice. Adams repeatedly failed to appear at scheduled court conferences and to comply with court orders, despite repeated warnings that

failure to do so would result in dismissal. He did not object to the R&R and has not otherwise contacted the Court in the more than ten months that have passed since the R&R was issued. Accordingly, the Clerk of Court is directed to enter judgment dismissing this action with prejudice and close the case. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith and therefore in forma pauperis status is denied for purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444–45 (1962.)

SO ORDERED.

Dated: April 4, 2016
Brooklyn, New York

s/Catol Bagley Amon

Carol Bagley Amon
Chief United States District Judge